

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
March 9, 2006

\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

- I.     **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II.    **SUBJECT:** Administrative and Consent Orders issued during the period January 1 – January 31, 2006.
- III.   **FACTS:** For the period January 1, 2006 through January 31, 2006 EQC issued twenty-three (23) Consent Orders with total assessed civil penalties in the amount of \$298,649.78. Five (5) Administrative Orders were entered into during the reporting period with total assessed civil penalties in the amount of \$54,004.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
<b>Land &amp; Waste Management</b>				
Hazardous Waste	0	\$ 0	0	\$ 0
Solid Waste	0	0	1	1,800.00
UST Program	3	19,815.00	2	400.00
<b>SUBTOTAL</b>	<b>3</b>	<b>19,815.00</b>	<b>3</b>	<b>\$ 2,200.00</b>
<b>Water*</b>				
Drinking Water	1	\$ 15,000.00	5	\$ 850.00
Water Pollution	1	\$ 19,189.00	13	282,599.78
<b>SUBTOTAL</b>	<b>2</b>	<b>\$ 34,189.00</b>	<b>18</b>	<b>\$ 283,449.78</b>
<b>Air Quality</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>\$ 0</b>	<b>2</b>	<b>\$ 13,000.00</b>
<b>TOTAL</b>	<b>5</b>	<b>\$ 54,004.00</b>	<b>23</b>	<b>\$ 298,649.78</b>

**\*During the reporting period, Water Pollution Enforcement and Air Quality Enforcement issued one (1) Joint Consent Order. Water Pollution Enforcement was credited with the Joint Order.**

**ANALYSIS:** During the reporting period, Drinking Water Enforcement issued an Administrative Order against Piedmont Water Company, Inc.; Piedmont Water Company, Inc. d/b/a Gauley Falls Subdivision; and D. Reece Williams IV, Individually (Respondents). The Order was not appealed and the Respondents are currently in violation of the Order. The Respondents are responsible for the proper operation and maintenance of a public water system (PWS) at Gauley Falls Subdivision. The Respondents have failed to properly operate

and maintain the PWS; failed to perform nitrate monitoring for the 2005 monitoring period and have failed to pay the State Drinking Water Fees for 2005 and 2006 totaling two thousand sixty-two dollars and fifty cents (\$2,062.50). The Respondents have been assessed a civil penalty in the amount of fifteen thousand dollars (\$15,000.00).

Water Pollution Enforcement issued an Administrative Order against Muriel Revell (Respondent), owner of the Westwood Mobile Home Park. The Respondent is responsible for the proper operation and maintenance of a satellite sewer system. The Respondent failed to properly manage, operate and maintain all parts of the system leading to the discharge of untreated wastewater into the environment. The Respondent must report all wastewater spills within twenty-four hours to the Department, submit a diagnostic evaluation (DE) of the system with a corrective action plan (CAP), and schedule and make all the necessary repairs to the system. Also, the Respondent must complete and submit an application for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit. A civil penalty in the amount of nineteen thousand one hundred eighty-nine dollars (\$19,189.00) was assessed.

Water Pollution Enforcement entered into a Consent Order with Respondent, Hal Mason, owner of Heritage Point Subdivision (Site). The Respondent is responsible for land clearing and construction activities at the Site. The Respondent discharged sediment into the environment including waters of the State and failed to properly install, operate and maintain erosion control devices. The Respondent was issued a Cease and Desist Order; however, construction activities continued at the Site. The Respondent was assessed a penalty in the amount of one hundred ten thousand three hundred fifty seven dollars and twenty-eight cents (\$110,357.28).

Water Pollution Enforcement and Air Quality Enforcement entered into a Joint Consent Order with J. Wayne Raiford (Respondent) for violation of the Pollution Control Act. The Respondent is responsible for the land disturbing activities at the Three Runs Farms Subdivision located in New Ellenton, South Carolina. The Respondent is in violation of the Pollution Control Act for failure to obtain a permit before initiating land disturbing activities, burning land clearing debris within 1000 feet of a public roadway and for failure to comply with a Cease and Desist Order issued by the Department. The Respondent has agreed to cease open burning except as provided by the S.C. Air Pollution Control Regulations; and submit a report completed by professional engineer that certifies all sediment and erosion control devices are installed and functioning properly. A civil penalty in the amount of eight thousand five hundred dollars (\$8,500.00) was assessed and has been paid in full.

Of the twenty-three (23) Consent Orders issued by EQC enforcement programs during the reporting period, twenty-three (23) have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

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Deputy Commissioner  
Environmental Quality Control